

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	<b>:</b>	<b>CRIMINAL NO. <u>08-351</u></b>
<b>v.</b>	<b>:</b>	<b>DATE FILED: <u>June 17, 2008</u></b>
<b>KALVIN GEORGE LEACOCK,</b> <b>a/k/a "G"</b>	<b>:</b>	<b>VIOLATIONS:</b>
	<b>:</b>	<b>18 U.S.C. § 371 (conspiracy to make</b>
	<b>:</b>	<b>false statements to a federal firearms</b>
	<b>:</b>	<b>dealer - 1 count)</b>
	<b>:</b>	<b>18 U.S.C. § 924(a)(1)(A) (making false</b>
	<b>:</b>	<b>statements to a federal firearms</b>
	<b>:</b>	<b>dealer - 11 counts)</b>
	<b>:</b>	<b>18 U.S.C. § 922(g)(1) (convicted felon in</b>
	<b>:</b>	<b>possession of a firearm - 11 count)</b>
	<b>:</b>	<b>18 U.S.C. § 2 (aiding and abetting)</b>
	<b>:</b>	<b>Notice of forfeiture</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

**INTRODUCTION**

At all times material to this indictment:

1. Firing Line, Inc., 1532 South Front Street, Philadelphia, Pennsylvania, possessed a federal firearms license ("FFL") and was authorized to deal in firearms under federal laws.
2. C&D Coin & Gun Shop, 231 East Broad Street, Bethlehem, Pennsylvania, possessed an FFL and was authorized to deal in firearms under federal laws. As an FFL, C&D Coin & Gun shop was authorized to participate in gun shows in Pennsylvania. On June 21, 2003, C&D Coin & Gun Shop participated in a gun show at the Pennsylvania Expo Center, 510 Centronia Street, Allentown, Pennsylvania.

3. Sure Shot Products, Inc., 4852A School Road, Slatington, Pennsylvania, possessed an FFL and was authorized to deal in firearms under federal laws. As an FFL, Sure Shot Products, Inc., was authorized to participate in gun shows in Pennsylvania. On June 21, 2003, Sure Shot Products, Inc., participated in a gun show at the Pennsylvania Expo Center, 510 Centronia Street, Allentown, Pennsylvania.

4. TargetMaster, 255 Route 202 North, Chadds Ford, Pennsylvania, possessed an FFL and was authorized to deal in firearms under federal laws.

5. Old Pike Gun Shop, Road #3, Box 260, Tyrone, Pennsylvania, possessed an FFL and was authorized to deal in firearms under federal laws. As an FFL, Old Pike Gun Shop was authorized to participate in gun shows in Pennsylvania. On June 29, 2003, Old Pike Gun Shop participated in a gun show at the York County Fair Grounds, 334 Carlisle Avenue, York, Pennsylvania.

6. Classic Pistol, Inc., 1310 Industrial Boulevard, Southampton, Pennsylvania, possessed an FFL and was authorized to deal in firearms under federal laws.

7. Pistol People, Inc., 2167 State Road, Bensalem, Pennsylvania, possessed an FFL and was authorized to deal in firearms under federal laws.

8. Johnston's Gun Shop, 710 State Road, in Croydon, Pennsylvania, possessed an FFL and was authorized to deal in firearms under federal laws.

9. Philadelphia Archery and Gun Club, 831-33 Ellsworth Street, Philadelphia, Pennsylvania, possessed an FFL and was authorized to deal in firearms under federal laws.

10. Surplus City, 302 Bustleton Pike, Feasterville Pennsylvania, possessed an

FFL and was authorized to deal in firearms under federal laws.

11. Ken Krane Sporting Goods, 310 Sloan Street Pike, Crum Lynne, Pennsylvania, possessed an FFL and was authorized to deal in firearms under federal laws.

12. FFL holders are licensed, among other things, to sell firearms and ammunition. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, govern the manner in which FFL holders are permitted to sell firearms and ammunition.

13. The rules and regulations governing FFL holders require that a person seeking to purchase a handgun fill out a Firearm Transaction Record, ATF Form 4473. Part of the Form 4473 requires that the prospective purchaser certify that all his answers on Form 4473 are true and correct. Question 12a of Form 4473 asks the prospective purchaser if he or she is the actual buyer of the firearms listed on the form. Question 12a explains that "You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person." The prospective purchaser also must certify that he or she understands that "... answering 'yes' to question 12a when I am not the actual buyer of the firearm is a crime punishable as a felony."

14. A person who purchases a firearm for another person and falsely completes the Form 4473 is known as a "straw purchaser." Acting as a straw purchaser is referred to as "lying and buying."

15. FFL holders are required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, including the buyer's home address and date of birth. The FFL maintains the records to ensure that the person was not prohibited from purchasing a firearm.

16. Convicted felons were persons prohibited by law from buying firearms.

17. Defendant KALVIN GEORGE LEACOCK was a convicted felon who was prohibited by law from buying firearms.

### **THE CONSPIRACY**

18. From on or about June 19, 2003, to on or about January 24, 2004 in the Middle District and Eastern District of Pennsylvania, defendant

**KALVIN GEORGE LEACOCK,**  
**a/k/a "G,"**

in connection with the acquisition of each of the firearms listed below, conspired and agreed with T.G., a person known to the grand jury AND who is charged elsewhere, to commit an offense against the United States, that is to knowingly make a false statement and representation with respect to information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the FFL holders' records, in that T.G. certified on the Form 4473 that she was the actual buyer of the firearms listed below, when, in fact, as defendant knew, those statements and representations were false and fictitious, in violation of Title 18, United States Code, Section 924(a)(1)(A).

### **MANNER AND MEANS**

It was part of the conspiracy that:

19. Defendant KALVIN GEORGE LEACOCK, who is prohibited from purchasing firearms, directed T.G. to purchase approximately sixteen firearms.

20. Defendant KALVIN GEORGE LEACOCK told T.G. that he was going to open a gun store and that he needed firearms to build the inventory.

21. Defendant KALVIN GEORGE LEACOCK told T.G. where to buy the firearms, gave her the money before or after the purchase of the firearms, and instructed her to buy sixteen firearms.

22. At the direction of defendant KALVIN GEORGE LEACOCK, T.G. went to the FFLs and at each FFL falsely represented on an ATF Form 4473 that she was purchasing the firearms for herself, when, in fact, she was purchasing them for defendant LEACOCK and after each purchase, gave the firearms to defendant LEACOCK.

### **OVERT ACTS**

In furtherance of the conspiracy, defendant KALVIN GEORGE LEACOCK, T.G., and others known and unknown to the grand jury committed the following overt acts, among others, in the Eastern District of Pennsylvania and elsewhere:

1. On June 19, 2003, defendant KALVIN GEORGE LEACOCK directed T.G. to purchase two firearms from Firing Line, Inc.

2. On or about June 19, 2003, at Firing Line, Inc., T.G. completed Pennsylvania State Police Application/Record of Sale forms and ATF Form 4473 in connection with the purchase of a Kel-Tec, model P-11 pistol, serial number 132585, and a Kel-Tec, model P-32 pistol, serial number 103328, falsely representing that she was the actual buyer of the firearms when she was not.

3. On June 21, 2003, KALVIN GEORGE LEACOCK and T.G. went to a gun show at the Pennsylvania Expo Center to purchase firearms.

4. On June 21, 2003, defendant KALVIN GEORGE LEACOCK directed T.G. to purchase two firearms from C&D Coin & Gun Shop at the Pennsylvania Expo Center.

5. On or about June 21, 2003, at C&D Coin & Gun Shop, T.G. completed Pennsylvania State Police Application/Record of Sale forms and ATF Form 4473 in connection with the purchase of a Cobray, model M-11 pistol, serial number 940025380, and a Cobray, model M-11 pistol, serial number 940025492, falsely representing that she was the actual buyer of the firearms when she was not.

6. On June 21, 2003, defendant KALVIN GEORGE LEACOCK directed T.G. to purchase one firearms from Sure Shot Products, Inc.

7. On or about June 21, 2003, at Sure Shot Products, Inc., T.G. completed Pennsylvania State Police Application/Record of Sale forms and ATF Form 4473 in connection with the purchase of a Cobray, model M-11 pistol, serial number 940025383, falsely representing that she was the actual buyer of the firearm when she was not.

8. On June 26, 2003, defendant KALVIN GEORGE LEACOCK directed T.G. to purchase two firearms from TargetMaster.

9. On or about June 26, 2003, at TargetMaster, T.G. completed Pennsylvania State Police Application/Record of Sale forms and ATF Form 4473 in connection with the purchase of a Kel-Tec, model P-11 pistol, serial number 131962, and a Kel-Tec, model P-11 pistol, serial number 132124, falsely representing that she was the actual buyer of the firearms when she was not.

10. On June 29, 2003, KALVIN GEORGE LEACOCK and T.G. went to a gun show at the York County Fairgrounds to purchase firearms.

11. On June 29, 2003, defendant KALVIN GEORGE LEACOCK directed T.G. to purchase two firearms from Old Pike Gun Shop at the York County Fairgrounds.

12. On or about June 29, 2003, at Old Pike Gun Shop, T.G. completed Pennsylvania State Police Application/Record of Sale forms and ATF Form 4473 in connection with the purchase of a Taurus, model PT-140 pistol, serial number SUL20045, and a Taurus, model PT-100 pistol, serial number STB74501, falsely representing that she was the actual buyer of the firearms when she was not.

13. On August 11, 2003, defendant KALVIN GEORGE LEACOCK directed T.G. to purchase one firearm from Classic Pistol Gun Shop.

14. On or about August 11, 2003, at Classic Pistol Gun Shop, T.G. completed Pennsylvania State Police Application/Record of Sale forms and ATF Form 4473 in connection with the purchase of a Sturm Ruger, model P-91DC pistol, serial number 34038624, falsely representing that she was the actual buyer of the firearm when she was not.

15. On August 15, 2003, defendant KALVIN GEORGE LEACOCK directed T.G. to purchase a firearm from Pistol People Gun shop.

16. On or about August 15, 2003, at Pistol People Gun Shop, T.G. completed Pennsylvania State Police Application/Record of Sale forms and ATF Form 4473 in connection with the purchase of a Springfield, model XD pistol, serial number US454504, falsely representing that she was the actual buyer of the firearm when she was not.

17. On August 22, 2003, defendant KALVIN GEORGE LEACOCK directed T.G. to purchase a firearm from Johnston's Gun Shop.

18. On or about August 22, 2003, at Johnston's Gun Shop, T.G. completed Pennsylvania State Police Application/Record of Sale forms and ATF Form 4473 in connection with the purchase of a Smith & Wesson, model SW40VE pistol, serial number PBL4411, falsely

representing that she was the actual buyer of the firearm when she was not.

19. On August 30, 2003, defendant KALVIN GEORGE LEACOCK directed T.G. to purchase a firearm from Philadelphia Archery and Gun.

20. On or about August 30, 2003, at Philadelphia and Archery Gun Shop, T.G. completed Pennsylvania State Police Application/Record of Sale forms and ATF Form 4473 in connection with the purchase of a Masterpiece Arms, model MPA30 pistol, serial number B1205, falsely representing that she was the actual buyer of the firearm when she was not.

21. On January 2, 2004, defendant KALVIN GEORGE LEACOCK directed T.G. to purchase one firearm from Surplus City.

22. On or about January 2, 2004, at Surplus City, T.G. completed Pennsylvania State Police Application/Record of Sale forms and ATF Form 4473 in connection with the purchase of a firearm, that is a Kel-Tec, model P-11 pistol, serial number 131106, falsely representing that she was the actual buyer of the firearm when she was not.

23. On January 6, 2004, defendant KALVIN GEORGE LEACOCK directed T.G. to purchase one firearm from Classic Pistol.

24. On or about January 6, 2004, at Classic Pistol, T.G. completed Pennsylvania State Police Application/Record of Sale forms and ATF Form 4473 in connection with the purchase of a Ruger, model P-97DC pistol, serial number 66353577, falsely representing that she was the actual buyer of the firearm when she was not.

25. On January 24, 2004, defendant KALVIN GEORGE LEACOCK directed T.G. to purchase one firearm from Ken Krane Sporting Goods.

26. On or about January 24, 2004, at Ken Krane Sporting Goods, T.G.



completed Pennsylvania State Police Application/Record of Sale forms and ATF Form 4473 in connection with the purchase of a Glock, model 19 pistol, serial number ECU260US, falsely representing that she was the actual buyer of the firearm when she was not.

27. After each of the above purchases KALVIN GEORGE LEACOCK took possession of the firearms from T.G.

All in violation of Title 18, United States Code, Section 371.

## COUNTS TWO THROUGH TWELVE

### THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs One through Seventeen of Count One are incorporated here.
2. On or about the dates listed below, in the Eastern District of Pennsylvania, defendant

**KALVIN GEORGE LEACOCK,**  
**a/k/a "G,"**

in connection with the acquisition of each of the firearms listed below from the FFL holders listed below, knowingly aided and abetted and willfully caused the making of a false statement and representation with respect to information required by the provisions of Chapter 44 to be kept in the FFL holders' records, in that, defendant LEACOCK, directed T. G., a person known to the grand jury who is charged elsewhere, to certify on an ATF Form 4473, Firearms Transaction Record, that she was the actual buyer of the firearms listed below, when, in fact, as defendant LEACOCK knew, those statements and representations were false and fictitious:

Count	Date	FFL Location	Manufacturer	Model	Caliber	Serial Number
2	6/19/03	Firing Line, Inc.	Kel-Tec Kel-Tec	P-11 P-32	9mm .32	132585 103328
3	6/21/03	C&D Coin & Gun Shop	Cobray Cobray	M-11 M-11	9mm 9mm	940025380 940025492
4	6/21/03	Sure Shot Products	Cobray	M-11	9mm	940025383
5	6/26/03	TargetMaster	Kel-Tec Kel-Tec	P-11 P-11	9mm 9mm	131962 132124
6	8/11/03	Classic Pistol Gun Shop	Sturm Ruger	P-91DC	.40	34038624
7	8/15/03	Pistol People Gun Shop	Springfield	XD	.40	US454504

8	8/22/03	Johnston's Gun Shop	Smith & Wesson	SW40VE	.40	PBL4411
9	8/30/03	Philadelphia Archery & Gun	Masterpiece Arms	MPA30	9mm	B1205
10	1/02/04	Surplus City	Kel-Tec	P-11	9mm	131106
11	1/6/04	Classic Pistol	Sturm Ruger	P-97DC	.45	66353577
12	1/24/04	Ken Krane Sporting Goods	Glock	19	9mm	EKU260US

All in violation of Title 18, United States Code, Sections 924(a)(1)(A) and 2.

**COUNTS THIRTEEN THROUGH TWENTY-THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about the dates listed below, in the Eastern District of Pennsylvania,  
defendant

**KALVIN GEORGE LEACOCK,  
a/k/a "G,"**

having been convicted in a court of the state of New Jersey of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce the following firearms:

Count	Date	Manufacturer	Model	Caliber	Serial Number
13	6/19/03	Kel-Tec Kel-Tec	P-11 P-32	9mm .32	132585 103328
14	6/21/03	Cobray Cobray	M-11 M-11	9mm 9mm	940025380 940025492
15	6/21/03	Cobray	M-11	9mm	940025383
16	6/26/03	Kel-Tec Kel-Tec	P-11 P-11	9mm 9mm	131962 132124
17	8/11/03	Ruger	P-91DC	.40	34038624
18	8/15/03	Springfield	XD	.40	US454504
19	8/22/03	Smith & Wesson	SW40VE	.40	PBL4411
20	8/30/03	Masterpiece Arms	MPA30	9mm	B1205
21	1/02/04	Kel-Tec	P-11	9mm	131106
22	1/6/04	Sturm Ruger	P-97DC	.45	66353577
23	1/24/04	Glock	19	9mm	EKU260US

In violation of Title 18, United States Code, Section 922(g)(1).

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**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

As a result of the violations of Title 18, United States Code, Sections 924(a)(1)(A) and 922(g)(1) set forth in this indictment, defendant

**KALVIN GEORGE LEACOCK,  
a/k/a “G”**

shall forfeit to the United States of America the firearms and ammunition involved in the commission of these offenses, including, but not limited to the following firearms:

- a. a Kel-Tec, model P-11, 9mm, serial number 132585;
- b. a Kel-Tec, model P-32, .32 caliber, serial number 103328;
- c. a Cobray, model M-11, 9mm, serial number 940025380;
- d. a Cobray, model M-11, 9mm, serial number 940025492;
- e. a Cobray, model M-11, 9mm, serial number 940025383;
- f. a Kel-Tec, model P-11, 9mm, serial number 131962;
- g. a Kel-Tec, model P-11, 9mm, serial number 132124;
- h. a Taurus, model PT-140, .40 caliber, serial number SUL20045;
- i. a Taurus, model PT-100, .40 caliber, serial number STB74501
- j. a Ruger, model P-91DC, .40 caliber, serial number 34038624;
- k. a Springfield, model XD, .40 caliber, serial number US454504;
- l. a Smith & Wesson, model SW40VE, .40 caliber, serial number PBL4411;
- m. a Masterpiece Arms, model MPA30, .9mm, serial number B1205;
- n. a Kel-Tec, model P-11, 9mm, serial number 131106;
- o. a Sturm Ruger, model P-97DC, .45 caliber, serial number 66353577; and

p. a Glock, model 19, 9mm, serial number EKU260US.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18,  
United States Code, Section 924(d).

**A TRUE BILL:**

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**FOREPERSON**

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**PATRICK L. MEEHAN**  
**United States Attorney**